

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): M.W. BROWN et al. Examiner: Kirsten S. Apple
Serial No. 09/895,244 Group Art Unit: 3628
Filed June 29, 2001 Docket No.: AUS920000711US1
TITLE: METHOD, SYSTEM, AND PROGRAM FOR IMPLEMENTING AN
AUCTION USING CALENDAR INFORMATION

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Kirsten S. Apple of the U.S. Patent and Trademark Office on June 27, 2007.

/David Victor/

David W. Victor

RESPONSE TO OFFICE ACTION

This paper is submitted in response to a non-final third office action in the above case dated February 27, 2007 (“Third Office Action”) in which the Examiner, in response to a Request for a Pre-Appeal Brief Conference, reopened prosecution to reject all the claims as indefinite (35 U.S.C. §112, par. 2) and obvious (35 U.S.C. §103) over new cited art. On June 6, 2007, the attorney for Applicants and the Examiner conducted a phone interview discussing the claims. The Examiner and attorney discussed amendments to overcome the Section 112, par. 2 rejection, which Applicants present herein. Although no agreement was reached, the Examiners said they would consider applicants arguments presented during the phone interview, which are presented below. Applicants submit that pending claims 1-13, 15, 17-30, and 32-44 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

Claim amendments being on pg. 2

Remarks/Arguments begin on page 11.